



Staff Report

PROPOSED REVISIONS TO BELMONT MUNICIPAL CODE, CHAPTER 14, MOTOR VEHICLES AND TRAFFIC.

Honorable Mayor and Council Members:

Summary

This report continues staff's ongoing review and update of Municipal Code. Specifically, this report recommends certain amendments to Article I of Chapter 14, Motor Vehicles and Traffic, specifically with respect to parking of large vehicles such as RV's, boats, and boat trailers on City streets. At prior meetings, the Council already approved amendments to Article III of Chapter 14, entitled Truck Routes and Weight Limitations. Minor amendments are proposed for Article IV; no amendments are proposed for Articles II, and V; and staff recommends deleting Articles VI and VII.

Background

Belmont Municipal Code Chapter 14 is entitled Motor Vehicles and Traffic. A complete copy of Chapter 14 is attached hereto as Attachment A. Article I, In General, contains provisions regarding the operation of motor vehicles on City streets. Article II, Notice and Promise to Appear, includes procedural requirements for violations of certain sections of the California Penal Code relating to motor vehicles. Article III, Truck Routes and Weight Limitations, has been recently addressed by the City Council and amended. Article IV, Restricted On-Street and Off-Street Parking Areas for Use by Disabled Persons Only, relates to disabled parking on City streets. Article V, Skateboards, Skates, Bicycles and Similar Vehicles, regulates the operation of these devices on City streets and sidewalks. Article IV, Interstate Trucks, applies to situations in which interstate trucks might wish to establish a terminal within the City for loading and unloading. Article VII, Transportation Systems Management, contains provisions relating to the Transportation System Management Program.

On April 26, 2005, the Council directed staff to prepare amendments to Article I which would specifically address on-street parking of RV's, boats, boat trailers, and other large vehicles. In past meetings, the Council has expressed concern that these vehicles block vehicular movements on City streets.

During the Council's meetings on this topic, numerous members of the public have appeared to voice their opinions regarding restricting on-street parking of RV's and other large vehicles.

Discussion

Proposed Changes to Article I

In reviewing regulations of neighboring Cities, staff has identified Foster City Code Sections 10.32.251 and 10.32.252 (Attachment B) as potentially addressing the Council's concerns.

These provisions prohibit:

1. Parking of commercial vehicles of any type, with the exception of three-quarter ton, half ton, or small pick up-type trucks on City streets;
2. Living or sleeping in vehicles while parked on any public street or public right of way;
3. Parking of inoperative, dismantled or derelict vehicles;
4. Storing camper shells or other camper related equipment on any public street or right of way; and
5. Parking of vehicles which are over six feet six inches in height or more than 25 feet in length on public streets, except for a maximum of 72 consecutive hours for loading, unloading, cleaning, and routine maintenance. (Note that Belmont Section 14-10 prohibits any vehicles from parking for more than 72 hours, not just large vehicles.) The Foster City ordinance allows the owner to obtain permission from the police department for the purpose of visitor parking of such vehicles for a maximum of 10 days.

Foster City Code Sections 10.32.252(B), (C), (D), (E), and (F) contain additional specific provisions which regulate parking of such vehicles in relation to curbs, driveways, and intersections.

Staff believes that these regulations would provide property owners with sufficient flexibility, while providing clear rules in the event enforcement is necessary. Staff requests that the Council provide final direction to staff regarding these provisions so that staff can return with an Ordinance Amendment for introduction. Staff does recommend deleting Section 14-3-1, as it is duplicated in the California Vehicle Code.

Proposed Changes to Article IV

As noted above, Article IV relates to disabled parking on City streets. Staff recommends deleting Section 14-98, as the City is not capable of providing on-street parking that is ADA compliant.

Proposed Deletion of Articles VI and VII

Staff recommends deleting Articles VI and VII in their entirety, as they no longer apply to the City. With respect to Article VI, the City does not have an interstate truck terminal. With respect to Article VII, subsequent to the adoption of similar measures in other cities, courts have ruled that cities cannot condition development on the establishment of transportation systems management measures.

Fiscal Impact

Staff has not identified any significant fiscal impact from these proposals.

Public Contact

Posting of City Council agenda.

Recommendation

Staff recommends that the Council consider adding the main provisions from the Foster City Code as described above to Article I of Chapter 14, and making the other changes as noted above.

Alternatives

The City Council may wish to direct staff to pursue one of the following alternatives:

1. Keep the Ordinances as they are;
2. Include only certain provisions of the Foster City Code;
3. Make other recommendations to other sections of Chapter 14.

Attachments

- A. Belmont Municipal Code, Chapter 14
- B. Foster City Municipal Code, Sections 10.32.251 and 10.32.252

Respectfully submitted,

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